

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re:)	
)	
Intech Resources, Inc.,)	Case No. 10-10587-SSM
)	(Chapter 7)
Debtor.)	
)	

MOTION FOR ORDER APPROVING REJECTION OF EXECUTORY CONTRACT

Adaequare, Inc., by counsel, hereby requests pursuant to FRBP 6006 that this Court enter an Order pursuant to 11 U.S.C. §365(a) approving the rejection of the personal services contract between Intech Resources, Inc. and Adaequare, Inc., and as grounds therefore states as follows:

Jurisdiction

1. This Court has jurisdiction over the parties and subject matter of this proceeding pursuant to 18 U.S.C. §§ 157 and 1334. Venue is proper in this district pursuant to 28 U.S.C. § 1409. The instant proceeding is a core proceeding pursuant to 28 U.S.C. § 157.

2. The statutory predicate for the relief requested is 11 U.S.C. § 365.

Background

3. On or about August 1, 2008, Intech Resources, Inc. (“Intech”) and Adaequare, Inc. (“Adaequare”) entered into a “Supplier Agreement” whereby Adaequare would provide personnel to Intech. More specifically, Adaequare would provide personnel to a client of Intech. Supplier Agreement attached.

4. Adaequare has performed on the contract.

5. On January 26, 2010, Intech filed a voluntary petition for relief under Chapter 7 of the Bankruptcy Code.

6. Adaequare is prevented from dealing directly with Intech’s former client by virtue

of the "Supplier Agreement."

7. As Intech has closed, it can no longer perform its obligations under the "Supplier Agreement," and Adaequare desires to be released of its obligations under the "Supplier Agreement" by having the contract rejected.

8. The Trustee has not performed the obligation under the "Supplier Agreement" for work performed post-petition.

Relief Requested

9. 11 U.S.C. §365 permits the Trustee to reject an executory contract, subject to Court approval.

10. Adaequare requests that the Trustee reject the "Supplier Agreement."

WHEREFORE, Adaequare requests that the Court enter an Order approving rejection of the executory contract, and for such other and further relief as this Court deems just and proper.

Respectfully Submitted,

Adaequare, Inc.
By Counsel

/s/ Gregory H. Counts
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Alexandria, VA 22314

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was, to the extent not served electronically via the CM/ECF system, mailed, first class mail, postage prepaid, this 23rd day of February, 2010 to:

Office of the U.S. Trustee
115 S. Union Street, #P210

Alexandria, VA 22314,

Kevin R. McCarthy, Trustee
1751 Pinnacle Dr.
Suite 1115
Mc Lean, VA 22102

Donald F. King, Esq.
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/s/ Gregory H. Counts